

UNITED STATES DISTRICT COURT

for the
Northern District of Indiana

THE INDIANA STATE COUNCIL OF ROOFERS
HEALTH AND WELFARE FUND TRUSTEES OF;
TRUSTEES OF THE UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS, LOCAL
UNION NO. 2 SUPPLEMENTAL PENSION FUND;
THE NATIONAL ROOFING INDUSTRY PENSION PLAN
TRUSTEES OF;
THE ROOFERS AND WATERPROOFERS RESEARCH
AND EDUCATION JOINT TRUST FUND TRUSTEES OF;

Plaintiffs

v.

Civil Action No. 4-18-cv-29

ED RUTHERFORD ROOFING INC

Defendant

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

X Plaintiffs Trustees of the Indiana State Council of Roofers Health and Welfare Fund, Trustees of the United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2 Supplemental Pension Fund, Trustees of the National Roofing Industry Pension Plan, Trustees of the Roofers and Waterproofers Research and Education Joint Trust Fund are AWARDED the following against Defendant Ed Rutherford Roofing Inc, with post-judgment interest at the rate of .62%:

Delinquent contributions of Seventy-Two Thousand Eighty-Eight Dollars and Twelve Cents (\$72,088.12) in favor of the Health Fund, Thirty-Seven Thousand Four Hundred Fifty-Eight Dollars and Thirty-One Cents (\$37,458.31) in favor of the Supplemental Pension, and Twenty-Six Thousand Nine Hundred Seventy-One Dollars and Eighty-Two Cents (\$26,971.82) in favor of the NRIPP and Education Fund.

Accrued interest as of June 30, 2019, of Forty Thousand Five Hundred Sixty-Nine Dollars and Ninety Cents (\$40,569.90) in favor of the Health Fund, Twenty Thousand One Hundred Fifty-Seven Dollars and Seventy-Five Cents (\$20,157.75) in favor of the Supplemental Pension, and Fifteen Thousand Five Hundred Eleven Dollars and Twelve Cents (\$15,511.12) in favor of the NRIPP and Education Fund.

Liquidated damages of Fourteen Thousand Four Hundred Seventeen Dollars and Sixty-Two Cents (\$14,417.62) in favor of the Health Fund, Six Thousand Seven Hundred Forty-Six Dollars and Forty-Five

Cents (\$6,746.45) in favor of the Supplemental Pension, and Five Thousand Three Hundred Ninety-Four Dollars and Thirty-Six Cents (\$5,394.36) in favor of the NRIPP and Education Fund.

The Court AWARDS Thirteen Thousand Seven Hundred Seventy Dollars and Fifty Cents (\$13,770.50) in attorney fees and Four Hundred Dollars (\$400.00) in costs to the Plaintiffs Trustees of the Indiana State Council of Roofers Health and Welfare Fund, Trustees of The United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2 Supplemental Pension Fund, Trustees of the National Roofing Industry Pension Plan, Trustee of the Roofers and Waterproofers Research and Education Joint Trust Fund and against the Defendant Ed Rutherford Roofing Inc.

___ the plaintiff recover nothing, the action is dismissed on the merits, and the defendant _____ recover costs from the plaintiff _____.

X Other: Judgment is ENTERED in favor of the Plaintiffs, Trustees of the Indiana State Council of Roofers Health and Welfare Fund, Trustees of The United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2 Supplemental Pension Fund, Trustees of the National Roofing Industry Pension Plan, Trustees of the Roofers and Waterproofers Research and Education Joint Trust Fund and against the Defendant Ed Rutherford Roofing Inc.

This action was (*check one*):

___ tried to a jury with Judge _____ presiding, and the jury has rendered a verdict.

___ tried by Judge _____ without a jury and the above decision was reached.

X decided by Judge Joseph S. Van Bokkelen on a Motion for Summary Judgment.

DATE: 3/11/2020

ROBERT N. TRGOVICH, CLERK OF COURT

by s/ M. Murray _____
Signature of Clerk or Deputy Clerk